

SO ORDERED.



TIFFANY & BOSCO
P.A.

Dated: December 01, 2009

2525 EAST CAMELBACK ROAD
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PHOENIX, ARIZONA 85016
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A handwritten signature in black ink, appearing to read "Redfield T. Baum", is written over a horizontal line.

REDFIELD T. BAUM, SR
U.S. Bankruptcy Judge

Mark S. Bosco
State Bar No. 010167
Leonard J. McDonald
State Bar No. 014228
Attorneys for Movant

09-25630/0004484684

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

IN RE:

John Levi Gurrola and Alma Rosa Gurrola
Debtors.

National City Mortgage, a division of National City
Bank of Indiana

Movant,
vs.

John Levi Gurrola and Alma Rosa Gurrola,
Debtors, William E. Pierce, Trustee.

Respondents.

No. 2:09-bk-25258-RTBP

Chapter 7

ORDER

(Related to Docket #8)

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefor,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real
2 property which is the subject of a Deed of Trust dated December 30, 2005 and recorded in the office of
3 the Merced County Recorder wherein National City Mortgage, a division of National City Bank of
4 Indiana is the current beneficiary and John Levi Gurrola and Alma Rosa Gurrola have an interest in,
5 further described as:

6 LOT 68, AS SHOWN ON THE MAP ENTITLED "FAIRWAYS ESTATES UNIT NO.3",
7 RECORDED MARCH 1, 1999 IN VOLUME 50 OF OFFICAL PLATS, PAGE 26, 27, 28 AND
29, MERCED COUNTY RECORDS.

8 EXCEPTING THEREFROM AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL
9 OIL, GAS, PETROLEUM, NAPHTHA AND OTHER HYDROCARBON SUBSTANCES,
10 AND IN ADDITION TO THE FOREGOING ANY AND ALL MINERALS OF
11 WHATSOEVER KIND OR NATURE IN, UPON OR BENEATH THE PROPERTY
12 HEREINABOVE DESCRIBED, TOGETHER WITH THE RIGHT OF ENTRY AND ALL
13 OTHER RIGHTS, INCLUDING ALL RIGHTS OF WAY AND EASEMENTS WHICH MAY
14 BE NECESSARY FOR THE DEVELOPMENT, PRODUCTION AND REMOVAL OF ALL
15 SUCH SUBSTANCES AND MINERALS AND THE FULL ENJOYMENT OF THE
16 GRANTOR'S INTERES THEREIN RESERVED, AS EXCEPTED AND RESERVED IN THE
17 DEED FROM BARRETT AND HILP BUILDERS, A PARTNERSHIP, ET AL, RECORDED
18 NOVEMBER 25, 1955 IN VOLUME 1234 AT PAGE 191 OF OFFICIAL RECORDS.

19 ASSESSORS PARCEL NO. 004-301-018.

20 IT IS FURTHER ORDERED that Movant may contact the Debtor(s) by telephone or written
21 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance
22 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement
23 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against
24 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

25 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter
26 to which the Debtor may convert.

DATED this ____ day of _____, 2009.

JUDGE OF THE U.S. BANKRUPTCY COURT